

Express Mail No.: EL 477 035 165 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

International Application of: Danielson et al.

Int. Application No.: PCT/SE99/02169  
U.S. Application No.: 09/831,682

Attorney Docket No.:  
10806-009

Filed:  
June 28, 2001

#9  
For: METHODS AND SYSTEMS FOR  
DETERMINING NETWORK  
TOPOLOGY

Request to Correct Notice of Acceptance

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
BOX PCT  
Washington, D.C. 20231  
Attn: PCT Legal Office

RECEIVED

APR 02 2002

Technology Center 2600

Sir:

The Notice of Acceptance mailed July 16, 2001 in connection with the above-identified application bears incorrect dates in paragraph 3 and in one item in paragraph 4. In particular, the request for immediate examination noted in paragraph 3 was made on May 11, 2001, not June 28, 2001 as indicated on the Notice. Likewise, an Information Disclosure Statement noted in paragraph 4 was filed on May 11, 2001, not May 10, 2001 as indicated on the Notice. In addition, paragraph 4 indicates that a preliminary amendment was filed on May 11, 2001. To applicants' representatives' knowledge, no such preliminary amendment was filed in this application.

A copy of the Notice with these changes indicated is enclosed as Exhibit A. Attached as Exhibit B are file copies of the postcard, the Transmittal Letter, and the Information Disclosure Statement, all bearing the date May 11, 2001. The postcard was sent with Express Mail No. EL 501 638 773 US on May 11, 2001 (note: the Patent Office erroneously stamped the postcard May 10, 2001).

The Applicants respectfully request a corrected Notice. Since applicant is not responsible for these errors, no fee should be required. However, if a fee is required, please charge such fee to Pennie & Edmonds LLP's Deposit Account No. 16-1150.

Date

3/12/02

Respectfully submitted,

*U.C. Llyd* by No. 36,196

*for Garland T. Stephens* 37,242

Garland T. Stephens

(Reg. No.)

PENNIE & EDMONDS LLP

1155 Avenue of the Americas

New York, New York 10036-2711

(212) 790-9090

Enclosure

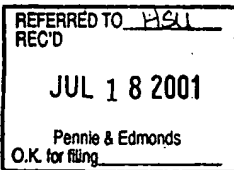
# **EXHIBIT A**



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/831682	DANIELSON	M 10806-009
INTERNATIONAL APPLICATION NO.		

PENNIE & EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036 2711

PCT/SE99/02169

I.A. FILING DATE	PRIORITY DATE
23 NOV 99	24 NOV 98

DATE MAILED: 16 JUL 2001

**NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371  
AND 37 CFR 1.494 OR 1.495**

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has determined that the above-identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

2. The United States Application Number assigned to the application is shown above and the relevant dates are:

28 June 2001	28 June 2001
DATE OF RECEIPT OF	DATE OF RECEIPT OF ALL
35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above-identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☒ A request for immediate examination under 35 U.S.C. 371(f) was received on 11 MAY 2001 and the application will be examined in turn.

4. The following items have been received:

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application.
- ☐ Translation of the international application into English.
- ☒ Oath or Declaration of inventor(s).
- ☐ Copy of Article 19 amendments. ☐ Translation of Article 19 amendments into English.
- The Article 19 amendments ☐ have ☐ not been entered.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Copy of the Annexes to the International Preliminary Examination Report (IPER).
- ☐ Translation of Annexes to the IPER into English.
- The Annexes ☐ have ☐ not been entered.
- ☒ Preliminary amendment(s) filed 10 May 2001 and 2 and 2
- ☒ Information Disclosure Statement(s) filed 11 10 May 2001 and 2
- ☒ Assignment document.
- ☒ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed 2
- ☐ Indication of Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Deborah D. Williams

Telephone: 703-305-3744

# **EXHIBIT B**

Express Mail No. FL501638773US First Class Mail ( )  
Date Mailed May 11, 2001  
Ser. No. TBA Filed May 11, 2001  
Inventor Magnus Danielson, Mattias Holmlund, and Stéphane Tisser  
For Methods and Systems for Determining Network Topology

- |  |   |
|--|---|
| <input type="checkbox"/> Affidavit/Declaration                                   | <input type="checkbox"/> Fee Address Indication Form                        |
| <input type="checkbox"/> Amendment   | <input type="checkbox"/> Fee Calculation                                    |
| <input type="checkbox"/> Application <u>    </u> Pages                           | <input type="checkbox"/> Issue Fee Transmittal                              |
| <input type="checkbox"/> <u>    </u> Claims <u>    </u> Drawings                 | <input type="checkbox"/> Letter   |
| <input type="checkbox"/> Appeal, Notice of                                       | <input type="checkbox"/> Oral Hearing Req./Confirm.                         |
| <input type="checkbox"/> Assignment  | <input type="checkbox"/> Petition to Extend Time                            |
| <input type="checkbox"/> Brief (in triplicate)                                   | <input type="checkbox"/> Pet. under 37 C.F.R.                               |
| <input checked="" type="checkbox"/> Declaration & Power of Attorney (unexecuted) | <input type="checkbox"/> Power of Attorney                                  |
| <input type="checkbox"/> Design Application                                      | <u>    </u> Associate <u>    </u> w/Revocation                              |
| <input type="checkbox"/> Disclaimer  | <input type="checkbox"/> Sequence Listing w/Computer                        |
| <input checked="" type="checkbox"/> Disclosure Statement                         | <u>    </u> Readable and Paper Copies                                       |
| <input checked="" type="checkbox"/> w/refs. <input type="checkbox"/> w/o refs.   | <input type="checkbox"/> Small Entity Statement                             |
| <input type="checkbox"/> Drawings Formal   | <input type="checkbox"/> Status Letter                                      |
| <u>    </u> Sheets <u>    </u> Figures   | <input checked="" type="checkbox"/> Transmittal Letter (w/ fee calculation) |
|  | (entry National Phase)  |

Other: \_\_\_\_\_

File No. 016806-609 Sender: TAC/GTS/HCL/RTA

Express Mail No. FL501638773US First Class Mail ( )  
Date Mailed May 11, 2001  
Ser. No. TBA Filed May 11, 2001  
Inventor Magnus Danielson, Mattias Holmlund, and Stéphane Tisser  
For Methods and Systems for Determining Network Topology

- 09/831682
- |  |   |
|--|---|
| <input type="checkbox"/> Affidavit/Declaration                                   | <input type="checkbox"/> Fee Address Indication Form                        |
| <input type="checkbox"/> Amendment   | <input type="checkbox"/> Fee Calculation                                    |
| <input type="checkbox"/> Application <u>    </u> Pages                           | <input type="checkbox"/> Issue Fee Transmittal                              |
| <input type="checkbox"/> <u>    </u> Claims <u>    </u> Drawings                 | <input type="checkbox"/> Letter   |
| <input type="checkbox"/> Appeal, Notice of                                       | <input type="checkbox"/> Oral Hearing Req./Confirm.                         |
| <input type="checkbox"/> Assignment  | <input type="checkbox"/> Petition to Extend Time                            |
| <input type="checkbox"/> Brief (in triplicate)                                   | <input type="checkbox"/> Pet. under 37 C.F.R.                               |
| <input checked="" type="checkbox"/> Declaration & Power of Attorney (unexecuted) | <input type="checkbox"/> Power of Attorney                                  |
| <input type="checkbox"/> Design Application                                      | <u>    </u> Associate <u>    </u> w/Revocation                              |
| <input type="checkbox"/> Disclaimer  | <input type="checkbox"/> Sequence Listing w/Computer                        |
| <input checked="" type="checkbox"/> Disclosure Statement                         | <u>    </u> Readable and Paper Copies                                       |
| <input checked="" type="checkbox"/> w/refs. <input type="checkbox"/> w/o refs.   | <input type="checkbox"/> Small Entity Statement                             |
| <input type="checkbox"/> Drawings Formal   | <input type="checkbox"/> Status Letter                                      |
| <u>    </u> Sheets <u>    </u> Figures   | <input checked="" type="checkbox"/> Transmittal Letter (w/ fee calculation) |
| Other: _____   | (entry National Phase)  |
- JK17 Rec'd PCT/PTO 10 MAY 2001

FORM PTO-1390  
(REV. 11-94)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

10806-009

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**INTERNATIONAL APPLICATION NO.  
PCT/SE99/02169INTERNATIONAL FILING DATE  
November 23, 1999PRIORITY DATE CLAIMED  
November 24, 1998TITLE OF INVENTION  
METHODS AND SYSTEMS FOR DETERMINING NETWORK TOPOLOGYAPPLICANT(S) FOR DO/EO/US  
Magnus Danielson, Mattias Holmlund, and Stéphane Tessier

Applicant herewith submits to the United States Designated/ Elected Office (DO/EO/US) the following items under 35 U.S.C. 371:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the international Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureaus.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 37(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unexecuted)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

17. ☐ The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees as follows:

CLAIMS				
(1)FOR	(2)NUMBER FILED	(3)NUMBER EXTRA	(4)RATE	(5)CALCULATIONS
TOTAL CLAIMS	41 - 20	21	X \$ 18.00	\$ 378.00
INDEPENDENT CLAIMS	6 - 3	3	X \$ 80.00	240.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 270.00	\$ 270.00
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): <b>CHECK ONE BOX ONLY</b>				
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$ 690				
<input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$ 710				
<input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1000				\$ 1,000.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2) to (4) ..... \$ 100				
<input type="checkbox"/> Filing with EPO or JPO search report ..... \$ 860				
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than 20 30 mos. from the earliest claimed priority date (37 CFR 1.492(e)).				
TOTAL OF ABOVE CALCULATIONS				= 1,888.00
Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).				- \$ 944.00
SUBTOTAL				= 944.00
Processing fee of \$130.00 for furnishing the English Translation later than 20 30 mos. from the earliest claimed priority date (37 CFR 1.492(f)).				+
0 TOTAL FEES ENCLOSED				\$ 944.00

- a. ☐ A check in the amount of \$\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge Deposit Account No. 16-1150 in the amount of \$ 944.00 to cover the above fees. A copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-1150. A copy of this sheet is enclosed.

18. ☐ Other instructions  
n/a19. ☒ All correspondence for this application should be mailed to  
PENNIE & EDMONDS LLP  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036-271120. ☒ All telephone inquiries should be made to (212) 790-2803Garland T. Stephens  
NAME

SIGNATURE

37,242  
REGISTRATION NUMBER

DATE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Danielson et al.

Serial No.: TBA

Group Art Unit: TBA

Filed: Herewith

Examiner: TBA

For: METHODS AND SYSTEMS FOR  
DETERMINING NETWORK TOPOLOGY

Attorney Docket No.: 10806-009

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:
  - 1a. ☒ Form PTO-1449.
  - 1b. ☒ Copies of publications.
  - 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
  - 1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or certification is required.
3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance.

*(Check either Item 3a or 3b)*

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.

- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
  - ☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

*(Item 3b to be checked if any reference known for more than 3 months)*

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after Final Office Action or Notice of Allowance, but before payment of Issue Fee.

A Petition to the Commissioner is hereby made under 37 C.F.R. §1.97(d) to request consideration of this Information Disclosure Statement. The \$180.00 fee set forth in 37 C.F.R. §1.17(i)(1) is:

- ☐ enclosed.
- ☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

The Certification Statement in Item 5 below is applicable.

5. ☐ Certification Statement *(applicable if Item 3a or Item 4 is checked)*

*(Check either Item 5a or 5b)*

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ In accordance with 37 C.F.R. §1.97(e)(2), it is certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known by any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
6. ☐ A continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d) is concurrently filed herewith.

*(Check appropriate Items 6a, 6b and/or 6c)*

- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☐ Copies of the publications listed on Form PTO-1449 from prior application Serial No. \_\_, filed on \_\_, of which this application claims priority under 35 U.S.C. §120, have been omitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 which were not previously cited in prior application Serial No. \_\_, filed on \_\_, of which this application claims priority under 35 U.S.C. §120, are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement. *(Check either Item 7a or 7b)*

- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on \_\_\_\_\_. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on \_\_\_\_\_.
- 7b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of a PTO Notice under 37 C.F.R. §1.97(i).
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
- ( Check Item 8a, 8b, or 8c )
- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Pennie & Edmonds LLP Deposit Account No. 16-1150.
10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date 5/11/01 GC 29 Ky No 36, 196  
for Garland T. Stephens 37,242  
Garland T. Stephens (Reg. No.)  
PENNIE & EDMONDS LLP  
1155 Avenue of Americas  
New York NY 10036-2720  
(212) 790 - 9090

